

HOUSE BILL 1086

E4

2lr1288
CF SB 669

By: **Delegates Kramer and W. Miller**

Introduced and read first time: February 10, 2012

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Division of Correction – Revocation of Diminution Credits –**
3 **Telecommunication Devices**

4 FOR the purpose of requiring the Division of Correction to revoke all of the good
5 conduct diminution credits awarded when an inmate violates certain rules
6 regarding a telecommunication device or knowingly possesses or receives a
7 telecommunication device; prohibiting the Division from restoring certain
8 revoked diminution credits; defining a certain term; and generally relating to
9 telecommunication devices in the Division of Correction and revocation of
10 diminution credits.

11 BY repealing and reenacting, with amendments,
12 Article – Correctional Services
13 Section 3–709
14 Annotated Code of Maryland
15 (2008 Replacement Volume and 2011 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article – Correctional Services**

19 3–709.

20 (a) IN THIS SECTION, “TELECOMMUNICATION DEVICE” HAS THE
21 MEANING STATED IN § 9–410 OF THE CRIMINAL LAW ARTICLE.

22 (B) (1) [If] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
23 SUBSECTION, IF an inmate violates the applicable rules of discipline, the Division
24 may revoke a portion or all of the diminution credits awarded under §§ 3–704 (good

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 conduct) and 3-707 (special projects) of this subtitle according to the nature and
2 frequency of the violation.

3 **(2) IF AN INMATE VIOLATES THE APPLICABLE RULES REGARDING**
4 **A TELECOMMUNICATION DEVICE OR § 9-417 OF THE CRIMINAL LAW ARTICLE,**
5 **THE DIVISION SHALL REVOKE ALL OF THE DIMINUTION CREDITS AWARDED**
6 **UNDER § 3-704 (GOOD CONDUCT) OF THIS SUBTITLE.**

7 **[(b)] (C)** This section does not affect the diminution credits awarded under
8 §§ 3-705 (work tasks) and 3-706 (education) of this subtitle.

9 **[(c)] (D) (1) (I) [The] EXCEPT AS PROVIDED IN SUBPARAGRAPH**
10 **(II) OF THIS PARAGRAPH, THE** Division may restore diminution credits revoked
11 under this section.

12 **(II) THE DIVISION MAY NOT RESTORE DIMINUTION CREDITS**
13 **REVOKED UNDER SUBSECTION (B)(2) OF THIS SECTION.**

14 (2) The Commissioner shall adopt regulations governing the
15 restoration of revoked diminution credits.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2012.